

CONNECTICUT WORKERS COMPENSATION COMMISSION

**A CONSPIRACY OF**  
**FRAUD/DISCRIMINATION**

The Attorney General's Opinion given by former Connecticut Attorney General Richard Blumenthal is the evidence of fraud committed by state officials, primarily against Black injured state employees such as myself. The language in his opinion applies to White similarly situated injured employees. There is no equality between the Black injured worker and the White injured worker as viewed by the former Attorney General, a Jew, the Workers' Compensation Commissioners Masterpietro, and Delaney whom are Catholic, The State Comptroller, Nancy Wyman whom is a Jew, and their subordinates Mark Ojakian, Mr. Woodruff, Helen Kemp and others whom are of both religious faiths.

The letters issued by Helen Kemp of the Comptrollers Office on behalf of Mr. Ojakian, and Nancy Wyman are In contrast with the following opinion provided. However, they are not so with White injured corrections officer Michael Cozzolino who is of the religious faith of the aforementioned public officials. The process of benefits are different for the Black injured worker as is for the Catholic, Jew, and most recently the homosexuals that apply for benefits. The policy for the latter, is established, in part by SEBAC IV, and V, as officials Ojakian, along with then Rep. Lawlor and Labor Department official Linda Yelmini also of the Retirement Division.

The reduction of benefits as stated in SEBAC 2011, Attachment 'H', reflects these reductions as "artificial reductions. This being the case, they also violate Connecticut General Statute 31-290, subsection relating to fraud, and crimes. **Furthermore, e 5-142(a) expressly provides that all other provisions of the workers' compensation law not inconsistent with it shall apply to any state employee who is within the purview of this statute.** This is stated below within the opinion. The White similarly situated injured employee was not defrauded as the Black injured worker, and this was confirmed by both the Workers Compensation Commissioner Delaney, and the Retirement Benefits Division in their "Meeting Minutes."

The fraud conspiracy extends to the Labor Unions, Department of Administrative Services, State Judges, various state public officials etc.. This could not be attributed to something "slipping through the cracks." The State of Connecticut aggressively inflicted and attempted to inflict harm upon Black injured workers such as myself. The current administration were made aware, and still it has done nothing to correct these wrong doings for the sake of protecting their rogue "reappointed" public officials, rather than bringing them justice.

Unfortunately, these public officials are not honorable men and women. They are actually the tyrants, and terrorists. They do not conduct government business by rule of law. They believe Black injured workers such as myself are cattle through their legal offerings of **Capitis Diminutio Maxima** for those that are Roman Catholic and the Talmud, Sanhedrin 57a, for those being Jew. As they are in fact, as evident in their actions, the uncivil as their actions are savage.

As I endeavor at being a scholar in the area of Public Administration, the conduct of these public officials are in violation of the public trust. Although through the Executive Order 38, which refers to the protecting of the citizenry by individuals such as myself, there should be no distinction between the White Corrections Officer and the Black Corrections Officer whom are similar situated, as we refer to benefits at the law. So, the inequality suffered by the Black Officer in the instant complaint is attributed to the public officials own personal, and religious beliefs. In this, it should not be acceptable in accordance with the governance of the citizenry. The consensus should be to adhere to the law, and not subvert it. When the dispensation of Justice relies on political favor as in this case, it leads to the very fraud that is occurring. The past 19 years of my life bare witness to that fraud imposed by these public officials.

**Thank you for your questions, and I hope this answers them. Please view the complaint, morebkrnddo, the Delaney decision, Cinco De Mayo transcripts, SEBAC injunction. and other materials relating to the case that I posted on my site and Scribd. You will be able to read the actual Helen Kemp letter, and the Retirement Benefits Minutes for yourself. It includes the names mentioned in all of my op-eds and such.**

**You may find that, as indicative of their refusal to honor their own opinions as the one attached to this op-ed, that the Racism and Bigotry mentioned in my writings are real. They endeavored to destroy the lives my babies, my family.**

---

---

Attorney General's Opinion  
**Attorney General, Richard Blumenthal**  
**June 8, 1990**

Honorable J. Edward Caldwell  
State Comptroller  
55 Elm Street  
Hartford, CT 06106

Dear Mr. Caldwell:

You have asked for our opinion "as to the application of group life insurance to State employees retired under the disability provisions of the State Employees Retirement Act and an employee receiving a disability benefit." Specifically, you have asked the following two questions:

1. A qualified employee may receive a Normal Retirement, Early Retirement or Disability Retirement. Do the provisions of Section 5-257 apply to employees retired in accordance with provisions of Chapter 66?

2. Do the provisions of Section 5-257 apply to employees out of work in accordance with the disability benefits of Chapter 65? If not, does Section 5-257 apply when such permanent disabled employee receives a pension under the State Employee Retirement Act?

As to your first question, we believe the provisions of Conn. Gen. Stat. e 5-257 apply to employees retired in accordance with the provisions of chapter 66 of the General Statutes. With regard to your second question, the provisions of e 5-257 apply to those employees specified in e 5-142(a), amended by 1989 Conn. Pub. Acts 89-82 and e 5-145a, amended by 1989 Conn. Pub. Acts 89-82 who are out of work due to an injury sustained in the performance of their official duties and who receive disability compensation under chapter 65 of the General Statutes.

## I

### Chapter 66

"The purpose of statutory construction is to ascertain the intent of the legislature." State v. Ellis, 197 Conn. 436, 445, 497 A.2d 974 (1985). The intent of the legislature is expressed in the language it uses so the proper place to begin in construing a statute is with the language of the statute itself. Id. at 445; Baston v. Ricci, 174 Conn. 522, 528, 391 A.2d 161 (1978).

All employees in active state service are provided the option of purchasing personal life insurance coverage under a group life insurance policy procured by the Comptroller pursuant to the authority of Conn. Gen. Stat. e 5-257(a).<sup>1</sup> Subsection (d) of e5-257 provides:

(d) The insurance of any employee insured under this section shall cease on termination of employment, and of any member of the general assembly at the end of his term of office, subject to any conversion privilege provided in the group life insurance policy or policies. Notwithstanding anything to the contrary in this section, the amounts of life insurance of insured employees retired in accordance with any retirement plan for state employees shall be as follows: ... In no case shall a retired employee be required to contribute to the cost of any such reduced insurance....  
(Emphasis added).

Section 5-257(d) states that employees who were insured under e 5-257 and who "retired in accordance with any retirement plan for state employees" shall have life insurance coverage in the amounts specified therein. Chapter 66 of the General Statutes is the State Employees Retirement Act. Conn. Gen. Stat. e 5-152. This chapter includes, inter alia, the State's basic retirement plan. See Conn. Gen. Stat. e 5-160 to 5-172a, inclusive. Sections 5-169 and 5-192p also make provision for disability retirement payments to members of the respective Tier I and Tier II plans of the state employees retirement system who while in state service, become permanently disabled from continuing to render the service in which they have been employed.

Since chapter 66 establishes a retirement plan for state employees, it is clear that such

plan is contemplated within the meaning of e 5-257(d). Thus, the provisions of e 5-257 apply to employees retired in accordance with the provisions of chapter 66.

## II

### Chapter 65

You have also asked whether the provisions of e 5-257 apply to employees who are collecting disability benefits in accordance with chapter 65 of the General Statutes. Chapter 65 establishes rights to and procedures for the administration of disability compensation and death benefits to specified employees, including so-called hazardous duty personnel, who sustain injury while in the actual performance of their duties. See generally Conn. Gen. Stat. ee 5-142, as amended by 1989 Conn. Pub. Acts 89-82, and 5-145a, as amended by 1989 Conn. Pub. Acts 89-82.

Section 5-142(a), as amended, provides in part:

...If total incapacity results from such injury such person shall be removed from the active payroll the first day of incapacity, exclusive of the day of injury, and placed on an inactive payroll. He shall continue to receive the full salary which he was receiving at the time of injury subject to all salary benefits of active employees, including annual increments, and all salary adjustments, including salary deductions required in the case of active employees, for a period of two hundred sixty weeks from the date of the beginning of such incapacity. Thereafter, such person shall be removed from the payroll and shall receive compensation at the rate of fifty per cent of the salary which he was receiving at the expiration of said two hundred sixty weeks so long as he remains so disabled.... All other provisions of the workers' compensation law not inconsistent herewith, including the specific indemnities and provisions for hearing and appeal, shall be available to any such state employee or the dependents of such a deceased employee.

(Emphasis added).

The foregoing provision grants all salary benefits and deductions which normally pertain to all active employees to employees who receive disability compensation under chapter 65 during the first two hundred sixty weeks of their disability. As noted above, all employees in active state service may exercise their option to enroll in the state's group life insurance plan established under e 5-257(a). Payment of the employee's share of the premium for coverage under such plan must be made by payroll deduction.<sup>2</sup> It is clear that participation in the State's life insurance program is a salary benefit available to active employees. Hence, the insurance benefits under e 5-257 are applicable to employees compensated under e 5-142(a).

Furthermore, e 5-142(a) expressly provides that all other provisions of the workers' compensation law not inconsistent with it shall apply to any state employee who is within the purview of this statute.<sup>3</sup> Conn. Gen. Stat. e 31-284b(a), a provision of the workers' compensation act, expressly requires employers<sup>4</sup> to provide equivalent life insurance coverage for employees who receive compensation under a provision for sick leave payments for time lost due to an employment-related injury. This provision states:

(a) In order to maintain, as nearly as possible, the income of employees who suffer employment-related injuries, any employer, as defined in section 31-275, who provides

accident and health insurance or life insurance coverage for any employee or makes payments or contributions at the regular hourly or weekly rate for full-time employees to an employee welfare fund, as defined in section 31-53, shall provide to such employee equivalent insurance coverage or welfare fund payments or contributions while the employee is eligible to receive or is receiving workers' compensation payments pursuant to this chapter, or while the employee is receiving wages under a provision for sick leave payments for time lost due to an employment-related injury.  
(Emphasis added).

Under Conn. Gen. Stat. ee 5-142 and 5-145a an employee is placed on the inactive payroll as the result of a work related disability and continues to receive full salary although not working; these payments clearly fall within the intent of Conn. Gen. Stat. e 31-284b(a) which refers to "a provision for sick leave payments for time lost due to an employment related injury." Thus, on its face the requirement for the provision of life insurance coverage under Conn. Gen. Stat. e 31-284b(a) applies to employees receiving disability compensation under ee5-142 and 5-145a and is clearly consistent with the terms of those statutes. Therefore, we conclude that the life insurance provisions of e 5-257 for active state employees apply to those inactive employees receiving disability compensation under chapter 65 of the General Statutes.

Lastly, you ask whether e 5-257 applies to permanently disabled employees who retire under chapter 66. Although you ask us to answer this question only if our answer to the immediately preceding question were negative, we will provide you with our opinion on this final issue. Chapter 66 contemplates and addresses disability retirement for employees receiving disability compensation under e 5-142. Section 5-169(i), as amended by 1989 Conn. Pub. Acts 89-52 states in part:

(i) If a member qualifies for disability compensation under section 5-142, such member shall continue to be credited with service hereunder, and shall not be deemed to have retired until he elects to retire. While the member is receiving compensation under section 5-142, the disability retirement benefits under this section shall be payable only if greater than the compensation paid under section 5-142. In such event, the benefits under this section shall be temporarily reduced by the amount of benefits payable under section 5-142 for the period of receipt of benefits under section 5-142....

In other words, employees who are compensated under e 5-142 of chapter 65 may retire under chapter 66, provided they meet all of the requirements for such retirement. As stated in part I of this opinion, e 5-257 applies to all employees insured under said statute who retire under chapter 66. In short, e 5-257 will also apply when inactive employees who are receiving compensation under e 5-142 retire under chapter 66. We trust the foregoing answers your questions.

Very truly yours,  
CLARINE NARDI RIDDLE  
ATTORNEY GENERAL  
William J. Prenskey

Assistant Attorney General  
CNR/WJP/pp

<sup>1</sup> Section 5-257(a) specifies: "Each employee in active state service shall be eligible for insurance under this section, provided he shall have completed more than six months' continuous state service, and each member of the general assembly shall be eligible for insurance under this section, six months after taking office."

<sup>2</sup> Section 5-257(c) provides:

(c) Each employee and each member of the general assembly insured under subsection (b) of this section shall contribute to the cost of the life insurance a sum equal to twenty cents biweekly for each thousand dollars of life insurance. The state comptroller shall deduct such amount from the employees' or members' pay and shall pay the premiums on such policy or policies. Any other refunds or rate credits shall inure to the benefit of the state and shall be applied to the cost of such insurance.

(Emphasis added).

<sup>3</sup> We note there is a similar provision in e 5-142(b) which applies to state employees disabled during the performance of their duties as a result of contact with persons or animals afflicted with any communicable disease or organisms producing any communicable disease. The following discussion in the text also applies to those employees receiving compensation under e 5-142(b).

<sup>4</sup> Section 31-275(6) defines "employer" to include the State.